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First Named Inventor William D. CHAMLEE Art Unit 3741 Examiner Name Stephen Johnson Total Number of Pages in This Submission 4 Attorney Docket Number D1109/20012 ENCLOSURES (Check all that apply) ENCLOSURES (Check all that apply) Fee Transmittal Form (in duplicate) Fee Attached Death of Transmittal Form (in duplicate) Fee Attached Destination to Board of Appeals and Interference Appeal Communication to Board of Appeals and Interference Appeal Communication to TC (Appeal Motice, Brist, Rept) Brist (Appeal Communication to TC (Appeal Motice, Brist, Rept) Brist (Appeal Communication to TC (Appeal Motice, Brist, Rept) Brist (Appeal Communication to TC (Appeal Motice, Brist, Rept) Brist (Appeal Communication to TC (Appeal Motice, Brist, Rept) Brist (Appeal Communication to TC (Appeal Motice, Brist, Rept) Brist (Appeal Motice, Brist, Rept) Brist (Appeal Communication to TC (Appeal Motice, Brist, Rept) Brist (Appeal Motice, Brist, Brist) Brist (Appeal Motice, Brist, Brist) Brist (Appeal Motice, Brist, Brist) Brist (Brist)	Under the Passervork Reduction Act of 1995, no newon				Application Number	10///	10/723,914			
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Fee Transmittal Form (in duplicate) Drawing(s)				ENC	LOSURES (Check all the	t apply)			
Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or Individual name Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.; Customer No. 03000 Michael J. Cornelison Reg. No. 40,395 Signature Date O8/13/2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby cartify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-145 the date shown below. Transmitted to Facsimile No. (703) 872-9306	Fee Attached Amendment/Reply After Final Affidavlis/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s)			Petition Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Add Terminal Disclaimer Request for Refund CD, Number of CD(s)	dress	Appe of Appe (Appe (Appe) Prop State	al Comr peals ar al Comr est Notice retary in is Letter r Enclos	nunication to Board nd Interferences nunication to TC e, Brief, Reply Brief) nformation sure(s) (please		
Firm or Individual name Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.; Customer No. 03000 Michael J. Comelison Reg. No. 40,395 Signature Date 08/13/2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby cartify that this correspondence is being facelmile transmitted to the USPTO or deposited with the United States Postal Service sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-145 the date shown below. Transmitted to Facsimile No. (703) 872-9306	Incomplete	e Application espanse to 1	n Missing Parts : 1.52 or 1.53	ensu	ire consideration of this subm	ission.			o effect entry and/or	
Individual name Michael J. Cornelison Reg. No. 40,395 Signature Data 08/13/2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facstmile transmitted to the USPTO or deposited with the United States Postal Service sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-145 the date shown below. Transmitted to Facsimile No. (703) 872-9306										
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Signature Date 08/13/2004			11/1		<i>.</i>			Date	08/13/2004	

This collection of Information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including pathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case, Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tredemark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT EXAMINING OPERATION

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AUG 1 3 2004

First Named Inventor: CHAMLEE, William D.

Serial No: 10/723,914

Group Art Unit: 3641

Filed: November 26, 2003

Examiner: Stephen Johnson

Att. Docket No.: D1109/20012

Confirmation No.: 9792

For: CONE AND CHARGER EXTRACTOR

ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement mailed July 16, 2004, Applicant hereby elects Group II, Claims 3-5, 15, 19-20 and 23-24, drawn to a munitions extractor. This election is made with traverse.

The examiner asserts that the combination (Group II) as claimed does not required the particulars of the subcombination (Group I) as claimed. Applicant respectfully traverses the examiner's assertion. As is readily apparent in Claims 2 and 3, both of which dependent from linking Claim 1, the combination of Claim 3 does require the particulars of the subcombination recited in Claim 2. That is, in order for the claimed support device to include a dejeter slidingly engaged within the open end of the casing (Claim 3), at least one part of the support device must be slidingly engaged within the open end of the casing (Claim 2). Accordingly, the invention recited in Claims 2 and 3 are not distinct. Withdrawal of the restriction requirement is respectfully requested.

Application No. 10/723,914 Amendment Dated August 13, 2004 Reply to Office Action of July 16, 2004

It is respectfully submitted that the subject matter of all of Claims 1-24 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "If the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Applicant acknowledges that Claim 1 links inventions I and II, and that upon the allowance of the linking claim, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise including all the limitations of the allowable linking claim will be entitled to examination in the instant application. However, for at least the reasons discussed above, Applicant respectfully submits that the restriction requirement should be withdrawn for all of Claims 1-24.

It is respectfully submitted that the aforementioned elected claims in this application are allowable and such favorable action is respectfully requested. Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's

Application No. 10/723,914 Amendment Dated August 13, 2004 Reply to Office Action of July 16, 2004

undersigned attorney at the telephone number listed below to further expedite prosecution of the Application.

Respectfully submitted,

CAÈSAR, RIVISE, BERNSTEIN, COHEN & POKOTILOW, LTD.

August 13, 2004

Please charge or credit our Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.

Michael J. Cornelison Registration No. 40,395

Customer No. 03000 (215) 567-2010

Attorneys for Applicant(s)